

REMARKS/ARGUMENTS

The Applicants originally submitted Claims 1-20 in the Application. In the present response, the Applicants have amended Claims 1, 8, and 15. Support for the amendment can be found, *e.g.*, in paragraph [0031] and Fig. 2 of the original specification. Accordingly, Claims 1-20 are currently pending in the Application.

I. Rejection of Claims 1-3, 6-10, and 13-14 under 35 U.S.C. §103

The Examiner has rejected Claims 1-3, 6-10, and 13-14 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0110086 by Reches (hereinafter "Reches") in view of U.S. Patent No. 5,412,648 by Fan (hereinafter "Fan"). The Applicants believe the invention as presently claimed, however, is neither shown nor suggested in the cited portions of the cited combination of Reches and Fan. More specifically, the Applicants fail to find where the cited portions of the cited combination teach or suggest wherein each of the n interposing crossbar FIFOs is unique to one of the n outputs as recited in now amended independent Claims 1, 8, and 15.

It appears the Examiner is equating the output queue in each of the output ports of Reches with the claimed destination FIFO for each of n outputs and the output queue of each of the input ports of Reches with the claimed n crossbar FIFOs interposing corresponding ones of the n inputs and the destination FIFOs. (*See* Examiner's Action of January 22, 2009, pages 3 and 7.) Claims 1 and 8 (and 15), however, have been amended to more clearly point out that each of the n interposing crossbar FIFOs is unique to one of the n outputs. Fig. 1 of Reches teaches that each input port 10, 12, 19 with its corresponding output queue, which the Examiner equates as the claimed interposing

crossbar FIFOs, is connected to configurable switch unit 50 and that each of the output ports 61, 62, 69 with its output queue, which the Examiner equates to the claimed destination FIFO is also connected to the configurable switch unit 50. Thus, Reches teaches that each output queue of each input is connected to a configurable switch unit to which each output queue of each input is also connected. Reches does not teach or suggest that each of the input port output queues are unique to one of the output ports. On the contrary, since each input port and corresponding output queue is connected to a configurable switch which can then connect the input port and corresponding output queue to any of the output ports, each of the input port output queues is not unique to one of the outputs. As such, the cited portion of Reches does not teach or suggest wherein each of the n interposing crossbar FIFOs is unique to one of the n outputs.

Fan has not been cited to cure this deficiency of Reches but to teach causing packets to be transmitted only when a destination FIFO and an interposing one of the crossbar FIFOs have sufficient memory at the same time to receive and then contain an entirety of the packets. (See Examiner's Action of January 22, 2009, pages 3 and 8.) As such, the cited portions of the cited combination of Reches and Fan, as applied by the Examiner, do not provide a *prima facie* case of obviousness of presently amended independent Claims 1 and 8 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 1-3, 6-10, and 13-14 and allow issuance thereof.

II. Rejection of Claims 4-5 and 11-12 under 35 U.S.C. §103

The Examiner has rejected Claims 4-5, and 11-12 under 35 U.S.C. §103(a) as being unpatentable over Reches in view of Fan and in further view of U.S. Patent No. 6,975,638 to Chen, *et al.* (hereinafter "Chen"). As established above, the cited portions of the cited combination of Reches and Fan do not provide a *prima facie* case of obviousness for presently amended independent Claims 1 and 8. Chen has not been cited to cure the above-noted deficiencies of the cited combination of Reches and Fan but to teach a crossbar switch with inputs connected to Gigabit Ethernet networks and a SONET network. (*See* Examiner's Action of January 22, 2009, page 6.) As such, the cited portions of the cited combination of Reches, Fan, and Chen, as applied by the Examiner, do not provide a *prima facie* case of obviousness for presently amended independent Claims 1 and 8 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 4-5 and 11-12 and allow issuance thereof.

III. Rejection of Claims 15-17 and 20 under 35 U.S.C. §103

The Examiner has rejected Claims 15-17, and 20 under 35 U.S.C. §103(a) as being unpatentable over Reches in view of Fan and in further view of U.S. Patent No. 5,905,873 to Hartmann, *et al.* (hereinafter "Hartmann"). As established above, the cited portions of the cited combination of Reches and Fan do not provide a *prima facie* case of obviousness for presently amended independent Claims 1 and 8. Analogously, the cited portions of the cited combination of Reches and Fan do not provide a *prima facie* case of obviousness of presently amended independent Claim 15. Hartmann has not been cited to cure the above-noted deficiencies of the cited combination

of Reches and Fan but to teach network processors coupled to corresponding physical interfaces that convert received packets between protocols. (See Examiner's Action of January 22, 2009, page 9.) As such, the cited portions of the cited combination of Reches, Fan, and Hartmann, as applied by the Examiner, do not provide a *prima facie* case of obviousness for presently amended independent Claim 15 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 15-17 and 20 and allow issuance thereof.

IV. Rejection of Claims 18-19 under 35 U.S.C. §103

The Examiner has rejected Claims 18-19 under 35 U.S.C. §103(a) as being unpatentable over Reches in view of Fan and Hartmann and in further view of Chen. As established above, the cited portions of the cited combination of Reches, Fan, and Hartmann do not provide a *prima facie* case of obviousness for presently amended independent Claim 15. Chen has not been cited to cure the above-noted deficiencies of the cited combination of Reches, Fan, and Hartmann but to teach to teach at least two of the n inputs are coupled to different types of packet based networks with the inputs and outputs being connected to a SONET network and two Ethernet networks. (See Examiner's Action of January 22, 2009, page 11.) As such, the cited portions of the cited combination of Reches, Fan, Hartmann, and Chen, as applied by the Examiner, do not provide a *prima facie* case of obviousness for presently amended independent Claim 15 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 18-19 and allow issuance thereof.

V. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the claims currently pending in this Application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-20.

The Applicants request the Examiner to telephone the undersigned agent of record at (972) 480-8800 if such would further or expedite the prosecution of the present Application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT GAINES, P.C.

A handwritten signature in black ink that reads "Steven J. Hanke". The signature is written in a cursive, flowing style.

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